

Louisiana Department of Labor
Office of Regulatory Services
Disaster Claims Unit
P.O. Box 94094, Room 386
Baton Rouge, Louisiana 70804-9094

IMPORTANT INFORMATION CONCERNING YOUR DISASTER UNEMPLOYMENT ASSISTANCE CLAIM

INTRODUCTION

You recently filed a claim for Disaster Unemployment Assistance (DUA) against the State of Louisiana. The information contained in this mailer is designed to inform you of your rights and responsibilities under the Louisiana Employment Security Law. Although some requirements of the law were temporarily suspended through an executive order, that order has now expired. Effective November 21, 2005, you must follow the instructions contained in this mailer in order to qualify for benefits. Please read this information carefully.

DUA is available to unemployed workers or self-employed individuals, both agricultural and non-agricultural, who become unemployed as a direct result of a disaster. DUA is also available to those individuals who become the breadwinner, or major support, due to the death of the head of the household as a direct result of the disaster.

The President of the United States must declare the parish (county) a major disaster area for individual assistance. Announcements will be made by the news media in the disaster area advising that DUA is available, and how and when individuals must file for benefits.

An individual shall not be eligible for DUA, or be required to file an initial application for DUA, who is under the following status:

1. The individual has established an unemployment insurance (UI) benefit year before the disaster occurred and has not exhausted regular and/or extended benefits to which he/she is entitled, or
2. Is eligible for regular unemployment compensation.

WHAT YOU MUST DO TO RECEIVE BENEFITS:

1. YOU MUST MAKE A WEEKLY CLAIM FOR BENEFITS THROUGH THE DUA WEEKLY CLAIMS LINE. YOU MUST MAKE YOUR FIRST CALL DURING THE WEEK FOLLOWING THE WEEK YOU FILED YOUR INITIAL CLAIM. You are to begin filing over the DUA Weekly Claims Line by calling, toll free, 1-888-217-2440. Continue to file each week on Sunday or Monday, for as long as you are unemployed and wish to claim benefits. You may call any time, day or night. If you forget to file on Sunday or Monday, you may file the next day. However, in no case should you make your call later than Friday at 4:00pm Central Time. This system will allow you to claim benefits for back weeks if not previously claimed. The system will prompt you to file your back weeks if any unclaimed back weeks are detected.

2. YOU MUST REPORT ALL EARNINGS OR GROSS INCOME FROM SELF EMPLOYMENT DURING THE WEEK WHEN EARNED, EVEN IF YOU ARE NOT PAID DURING THAT WEEK. REPORT THE AMOUNT BEFORE DEDUCTIONS. INCLUDE ALL WAGES, COMMISSIONS, TIPS, AND GRATUITIES.

3. YOU MUST MAKE AN ACTIVE SEARCH FOR WORK BY MAKING AT LEAST ONE WORK SEARCH CONTACT EACH WEEK. See details later in this mailer.

4. IF YOU MOVE, YOU MUST REPORT YOUR NEW ADDRESS AS SOON AS POSSIBLE. See details later in this mailer.

5. IN MOST CASES, BENEFITS WILL BE PAID THROUGH A DEBIT CARD OR THROUGH A DIRECT DEPOSIT INTO YOUR PERSONAL BANK ACCOUNT. ACTIVATE THE DEBIT CARD AS SOON AS YOU RECEIVE IT. See details later in this mailer.

IF YOU HAVE QUESTIONS:

If you have questions concerning your claim, you should report to your nearest Job Center or you may call the help line, toll free, at 1-866-783-5567.

PROOF OF EMPLOYMENT – REQUIRED

If this agency has no record of your employment and you have provided no proof, the following important message applies to you:

20 CFR 625.6, in part, requires that an individual must furnish documentation to substantiate the employment or self-employment or wages earned from or paid for such employment or self employment or documentation to support that the individual was to commence employment or self-employment on or after the date the major disaster began. This documentation must be submitted within 90 calendar days of the filing of the initial application for DUA. Any individual who fails to submit this documentation will be determined “ineligible” for DUA and any amounts already paid will be determined overpaid, with applicable appeal rights (see page 3). Acceptable proof of employment and wages may include: individual income tax return for the previous calendar year, business financial statements, pay stubs/vouchers, trip tickets, crop elevator receipts/credits, and etc. Due to the severity of Hurricanes Katrina and Rita, we have developed a simple affidavit form to substantiate your employment status at the time of the disaster(s). This form can be found within this document. We will accept it as a document of last resort if no other proof is available. However, we will not adjust your weekly benefit amount solely on this form.

CHANGING YOUR ADDRESS:

If you move, you must report your new address as soon as possible. You may change your address over the Internet at www.LAWWORKS.net or you may report to your local Job Center. However, if your new address is in a state other than Louisiana, you must file an additional or reopened claim by contacting the local unemployment office in the state in which you now reside. **DO NOT DELAY** in reporting these changes.

GENERAL ELIGIBILITY

In order to be eligible for DUA, you must meet the following eligibility requirements:

1. Your unemployment must have been caused as a direct result of the disaster, thereby stopping/reducing your principal source of income/livelihood, and
2. You must live in, work in or travel through the disaster area, and
3. You must have filed an application for DUA by November 30, 2005. If filing after November 30, 2005, you will be required to provide a statement for late filing and your claim will be considered on its merits.
4. If you are not a citizen of the United States, you cannot be paid DUA benefits based on services, unless you were legally permitted to work in the United States at the time such services were performed.

CONDITIONS OF UNEMPLOYMENT

One of the following conditions of unemployment must have occurred as a direct result of the disaster:

1. You no longer have a job, or
2. You are unable to reach your place of employment, or
3. You were to have started to work, but now you do not have a job or you are unable to reach the job, or
4. You became the breadwinner, or major support, because the head of the household died as a direct result of the disaster, or
5. You cannot work because of an illness or injury you received as a direct result of the disaster.

REPORTING AND FILING REQUIREMENTS

Your weekly claims must be filed by telephone through the toll free DUA Weekly Claims Line at 1-888-217-2440.

1. You must register for work with your local job center or online at www.LAWORKS.net, unless a registration waiver is granted. You must make an active search for work and keep a record of your work search contacts for each week you file a claim, unless you are prevented from doing so as a direct result of the disaster, or you are a self-employed individual with definite plans to resume self-employment.
2. You must be able and available for work (except, an individual will be considered to have met this requirement if an injury or illness caused as a direct result of the disaster is the reason for your not being able or available for work, or if you are unable to reach your place of employment due to damage as a direct result of the disaster), and
3. You must report gross wages earned for any employment. If you worked for someone and were paid, or if you are entitled to payment for the work, you must report the wages in the week earned. If you are self-employed and received income for services performed, you must report your gross income in the week in which you receive the pay even though you may have performed the service before the disaster began. Self-employed farmers must also report

subsidy/price support payments, crop insurance and farm disaster relief [non-DUA] payments. Failure to report these earnings/income may cause you to be charged with an overpayment and/or disqualification based upon fraud.

WEEKLY BENEFIT AMOUNT

Your claim will be established based on gross wages/net income earned between January 1, 2004 and December 31, 2004. All claims will be established with an initial weekly benefit amount of \$98.00, which is ½ the state average weekly benefit amount. If your gross wages/net income exceeded \$7,858.00 in the calendar year 2004, you may be entitled to a higher weekly benefit amount. See the "Monetary Reconsideration" section of this mailer for more information.

DURATION OF BENEFITS

The disaster assistance period begins with the first week following the date that the major disaster begins. Your eligibility for DUA benefits will be determined on a week-to-week basis. For each week you file a DUA claim, your reason for being unemployed must be as a direct result of the disaster. DUA benefits may not be paid for any week of unemployment that is more than 26 weeks after the declaration date of the disaster.

REDUCTIONS IN DUA WEEKLY BENEFITS

DUA benefits may be denied or reduced if you begin to receive or are receiving one or more of the following:

1. Benefits or insurance for loss of wages due to illness or disability
2. Supplemental unemployment benefits paid pursuant to a collective bargaining agreement
3. Private income protection insurance
4. Worker's compensation or survivor's benefits if you become the major support of the family as a result of the death of the head of the household because of the disaster
5. Retirement, pension or annuity (excluding social security benefits)
6. Earnings from employment or self-employment
7. Subsidy/price support payments, crops insurance and farm disaster relief payments (not to be confused with DUA), provided services were performed
8. Child support obligations based on a valid court order in compliance with agency policy

Note: You will not be eligible to receive any DUA benefits, if you are entitled to any unemployment compensation under any state or federal law.

DISQUALIFICATION OR TERMINATION OF BENEFITS

You may be disqualified, or your DUA benefits terminated, for the following:

1. You become employed in a suitable position, or
2. You refuse without good cause to accept suitable employment, or
3. You refuse without good cause to accept referral to suitable employment, or
4. You are not able or available for work (except as explained under "REPORTING AND FILING REQUIREMENTS"), or

5. You fail to make a search for work (except as explained under "REPORTING AND FILING REQUIREMENTS"), or
6. It is determined that your unemployment is no longer as a direct result of the disaster.

APPEALS

Any determination, or redetermination, regarding your eligibility for DUA benefits, or the amount of the entitlement, may be appealed. You must file the appeal within 60 days of the date the determination was mailed to you. If the 60-day appeal period ends on a Saturday, Sunday, or a legal state holiday, the appeals period is extended to the next workday that is not a holiday. You may file an appeal either by completing an appeal form, which may be obtained from your area employment office, or by mailing a personal letter to your area office. If an appeal is filed, it is recommended, if possible, that you include a copy of the document of which you are appealing, with the appeal form or letter. Be sure to always include your Social Security Number on any and all correspondence you may send to this agency. If you file an appeal you should continue to file your weekly claim until the issue is resolved or you obtain or resume employment.

MONETARY REDETERMINATIONS

If you disagree with the amount of your monetary entitlement, based on a statement of wages, you may present proof of earnings and request a redetermination of your monetary award. This request must be made before the ending date of the disaster assistance period, which is the 26-week period following the date the disaster is declared.

YOUR RESPONSIBILITIES

It is your responsibility to give correct answers to any questions asked in regards to your initial and weekly claims for DUA benefits. Failure to furnish requested documents or information might result in benefits being **delayed** or **denied**.

All information is subject to verification. DUA benefits are provided through federal funds. Criminal and/or civil penalties for violation of federal and/or state laws will be enforced for willfully making false statement or concealing information to obtain or increase your Disaster Unemployment Assistance (DUA) benefits.

TO FILE FOR WEEKLY BENEFITS

You may file a weekly claim for benefits through the DUA Weekly Claims Line at 1-888-217-2440 or on line at www.LAWORKS.net. You need to make only one claim each week.

HOW TO USE:

You may call at any time, day or night. You will enter information into the system by pressing the numbers on a touch-tone telephone. The Claims Line will repeat your answers to the questions and give you a chance to make corrections before going on. If you are disconnected or

if you hang up before the system tells that your claim has been accepted, you will have to call again to file that weekly claim.

On your first call, you will be asked to create a Personal Identification Number (PIN). Do not forget your PIN. You will need it each time you call the Claims Line. The PIN is initially set up with the six-digit number that corresponds to the month and year of your birth (example: January 1965 will be entered 011965). Once you have successfully logged on to the system, you should change the PIN to a four-digit number of your choice. Warning: Your PIN has the same legal authority as your signature. Protect your PIN. Do not give it to anyone. If you believe someone knows your PIN, immediately call the Claims Line and change the PIN. If you believe that someone has accessed your file, immediately call the LDOL Help Line at 1-866-783-5567.

If you use the LaWorks web site to file your weekly claim over the Internet, you may file on any day of the week following the Saturday of the week you are claiming. You cannot claim a week before it ends on Saturday at midnight. You will be given a confirmation number at the end of the transaction. You should make a copy of this page or keep a record of the confirmation number. Note: You must establish a Personal Identification Number (PIN) over DUA Weekly Claims Line before you can enter your weekly claims through the LaWorks web site.

DUA WEEKLY CLAIMS LINE: FILING FOR WEEKLY BENEFITS:

You will be asked a series of questions pertaining to the week you are claiming. You will always be claiming benefits for the week ending on the Saturday before you call. Answer each question Yes or No by pressing 1 or 9.

Question 1: Did you work for anyone, earn wages or were you self-employed during this week? If you did, you will be asked to list the gross wages you earned, including dollars and cents.

Question 2: Did you refuse to accept work or a job referral?

Question 3: Did you receive or apply for workers' compensation?

Question 4: Did you receive or apply for private income protection for loss of wages due to illness or disability?

Question 5: Did you receive a supplemental unemployment benefit pursuant to a collective bargaining agreement?

Question 6: Did you receive a retirement pension, excluding social security, not previously reported to this agency?

Question 7: Did you attend school or a training program not previously reported to this agency?

Question 8: Other than for reasons that were the direct result of the disaster, were you able and available for work each day of the week?

Question 9: Are you still unemployed as the direct result of the disaster?

TELEPHONE INFORMATION:

DUA Weekly Claims Line: 1-888-217-2440

LDOL Help Line: 1-866-783-5567

Debit Card Customer Service 1-866-795-5926

DEBIT CARDS OR DIRECT DEPOSIT

In most cases, payments of UI benefits will be made through the use of Debit Cards or Direct Deposit. Shortly after you file your claim, you will receive a debit card in the mail. It will have instructions on how to activate the card. Once you have been found eligible for benefits, each week a deposit will be made to your debit card account for the amount of benefits to which you are entitled for that week. It may be 3 or 4 days after you file your weekly claim before the benefits are available through the debit card. You may inquire about the balance on the card, without charge, by contacting the customer service center listed on the card. If you have problems with the debit card, contact Chase Bank at 1-866-795-5926.

If you wish to have your benefits paid through Direct Deposit, complete the Direct Deposit Form found on the last page of this mailer. Check your balance each week to determine when your benefits have been paid through direct deposit.

TRAVEL

If you travel from place to place in search of work, you may continue to file for benefits by using the DUA Weekly Claims Line. You must be able to work, available for work, and actively seeking work while traveling. If you move to a new location, you should call this agency to change your address, as soon as possible.

KEEPING RECORDS

It is your responsibility to keep accurate records of the weeks you claim, payments you receive, wages you earn and work search contacts you make. When you inquire about your claim, we will be better able to assist you if you keep accurate records.

THE PRIVACY ACT OF 1974

Under authority of the Internal Revenue Code of 1954 (26 U.S.C. 85 6011 (a), 605B and 6109 (a)) this Agency requires that you enter your Social Security Number on the forms you submit when filing an unemployment insurance claim. Your Social Security Number will be used in reporting to the United States Internal Revenue Service the unemployment compensation that we paid to you during the year.

IMPORTANT NOTICE ABOUT INCOME TAX

Unemployment insurance benefits are subject to federal income taxes. If federal income taxes are not withheld from the benefits that you receive, you are required to make quarterly estimated income tax payments to the Internal Revenue Service. You can avoid making these quarterly payments by having ten percent (10%) of your gross weekly benefit amount deducted for this purpose. You were given this option at the time that you filed your initial claim.

If you wish to change your original decision, complete and sign the form found in this mailer. Mail the completed form to the Louisiana Department of Labor. You may change your decision once during your benefit year. If you do not choose to have federal income taxes deducted from your benefits, you should consult an agent of the Internal Revenue Service or your tax preparer for information on making quarterly estimated tax payments.

You will be furnished a statement, Form 1099-G, at the end of the year, for benefits paid to you. The Internal Revenue Service will be given the same information. You must keep your local claims office informed of your correct address in order for you to receive your tax statement.

Notices of all overpayments, fraud assessments, credits against overpayments and reimbursements should be kept for tax purposes. This agency only reports the amount of benefits issued. It may not deduct credits or reimbursements.

FRAUDULENT CLAIMS

You are cautioned that you must report truthfully about conditions which affect your right to benefits.

You can be fined and/or imprisoned for knowingly making a false statement to obtain or increase your unemployment insurance benefits. An alien convicted of a felony for unemployment insurance fraud can lose his/her right to work in this country and/or be deported.

Disaster Affidavit – Proof of Employment or Prospective Employment

I hereby certify that I, _____, became unemployed as a direct result of Hurricane _____.

[check one of the following]

1. ____ I worked in employment/self-employment as _____ at the time of the disaster.

2. ____ I was to commence employment with _____, but was unable to start this job due to the disaster.

Print Claimant Name _____ SSN _____

Claimant Signature _____ Date _____

Claimant Phone/Contact Number _____

Witness Signature _____

**Please return this completed form to: LDOL ORS DUA Unit,
Post Office Box 94094, Baton Rouge, LA 70804-9094.**

Please return this completed form to:

**LDOL ORS DUA Unit
Post Office Box 94094
Baton Rouge, LA 70804-9094.**

NOTICE TO UNEMPLOYMENT INSURANCE CLAIMANTS OF FEDERAL INCOME TAX WITHHOLDING PROGRAM

**LOUISIANA DEPARTMENT OF LABOR
ORS DUA UNIT
POST OFFICE BOX 94094
BATON ROUGE, LOUISIANA 70804-9094**

Unemployment benefits are subject to federal income tax. If federal income taxes are not withheld from taxable income that you receive, you are required to make quarterly estimated income tax payments to the Internal Revenue Service.

The Louisiana Department of Labor has established a program, in accordance with federal law, to enable you to have federal income taxes deducted directly from your weekly unemployment benefits. This program will allow you to avoid the necessity of making quarterly estimated tax payments based on your unemployment benefits. Under this program, ten (10%) percent of your gross weekly benefit amount will be deducted for payment of federal income taxes.

The choice of whether to make the income tax deduction from your weekly benefit amount is entirely up to you. If you choose to have federal income tax deducted, you will not be required to make a quarterly estimated tax payment to the Internal Revenue Service on the income you receive from unemployment benefits. If you do not choose to have federal income taxes deducted from your benefits, you should consult an agent of the Internal Revenue Service or your tax preparer to obtain the proper forms and instructions necessary to make your quarterly estimated tax payment.

Any deductions, however, for outstanding overpayment of unemployment benefits or child support obligations, or any other amounts required under law, shall first be deducted and withheld before any deduction is made for the payment of federal income taxes. After any such deductions are made, the federal income tax will be withheld. If not enough money remains to issue an unemployment benefit check; notice shall be given that no unemployment benefit payment shall be made for such week.

The Louisiana Department of Labor shall not deduct any state income taxes due the State of Louisiana or any other state.

After you have made your original decision on your withholding status, you may change your decision one (1) time during your benefit year by notifying the Louisiana Department of Labor, in writing, of your desire to change your withholding status.

***** COMPLETE ONLY IF YOU WISH TO CHANGE YOUR ORIGINAL DECISION! *****

____ Yes, I chose to have federal income taxes deducted from my weekly unemployment benefits.

____ No, I do not chose to have federal income taxes deducted from my unemployment benefits.

Signature _____ Social Security Number _____

Print Name _____ Date _____

LDOL-ES 494

**COMPLETE ONLY IF YOU WISH TO CHANGE
YOUR ORIGINAL DECISION!**

Please return this completed form to:

**LOUISIANA DEPARTMENT OF LABOR
ORS DUA UNIT
POST OFFICE BOX 94094
BATON ROUGE, LOUISIANA 70804-9094**



LOUISIANA WORKS
DEPARTMENT OF LABOR

AGREEMENT FOR DIRECT DEPOSIT

Name (Please Print)	Social Security No.
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- ☐ **START** I authorize the Louisiana Department of Labor, Office of Regulatory Services, to make automatic deposit of the full amount of any payments of my weekly unemployment benefits to my:
☐ CHECKING ACCOUNT ☐ SAVINGS ACCOUNT
- ☐ **STOP** I authorize the Louisiana Department of Labor, Office of Regulatory Services, to terminate the automatic deposit of any payments of my unemployment benefits.
- ☐ **CHANGE** I authorize the Louisiana Department of Labor, Office of Regulatory Services, to change the automatic deposit of any payments of my unemployment benefits according to the changes listed below.

I understand that the Louisiana Department of Labor, Office of Regulatory Services, can automatically deposit unemployment benefits only to a separate or joint banking account under which the name of the above claimant is listed.

I UNDERSTAND THAT IT IS MY OWN RESPONSIBILITY TO VERIFY ANY SUCH DEPOSITS OF UNEMPLOYMENT BENEFITS WITH MY BANKING INSTITUTION.

NAME OF BANK OR FINANCIAL INSTITUTION									
CITY						STATE		ZIP	
BANK ACCOUNT NUMBER						TYPE OF ACCOUNT Checking <input type="checkbox"/> Savings <input type="checkbox"/>			
TRANSIT AND ROUTING NO.									

This authorization shall remain in effect until the Louisiana Department of Labor has received written notification from me to terminate or otherwise change the automatic deposit of my unemployment benefits. Such notification shall be delivered in a timely manner in order to afford the Louisiana Department of Labor an opportunity to comply. In no event shall any such termination or change affect any unemployment benefits previously processed or being processed by the Louisiana Department of Labor for automatic deposit at the time of receipt of my notification.

In the event of an error in the automatic deposit of my unemployment benefits to my account, I authorize my named banking institution to correct the error in my account. I understand that if an error is made, I shall receive written notification from the Louisiana Department of Labor with explanation of such error. I also understand that all transactions with my account by the Louisiana Department of Labor shall be governed by the Rules of the Louisiana, Alabama, Mississippi Automated Clearing House Association.

I also understand that the Louisiana Department of Labor is NOT responsible for errors in the bank transit routing numbers or in the account numbers, as listed above, and is further not responsible in the event that the above selected institution is not participating in the Direct Deposit program through the Federal Reserve System.

SIGNATURE	DATE
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Mail Application To:
Louisiana Department of Labor
EFT Processing – U. I. Accounting
P. O. Box 94186
Baton Rouge, LA 70804-9186

FOR OFFICIAL USE ONLY	
CLAIM BYE ____/____/____	

LDOL 971W

INSTRUCTIONS FOR DIRECT DEPOSIT OF UNEMPLOYMENT INSURANCE BENEFIT CHECKS

Direct deposit is a convenient, safe, and reliable way to receive your benefits. You may have your benefit payments deposited directly into your bank account or financial institution.

If you choose direct deposit, you should complete and sign the agreement form linked to at the end of this page. Mail the agreement along with one of your checks (marked "VOID") showing your account number and your bank's ABA number to: Louisiana Department of Labor, EFT Processing - U.I. Accounting, Post Office Box 94186, Baton Rouge, LA 70804-9186.

Your bank or financial institution information will be kept strictly confidential. It is your responsibility to notify your bank or financial institution of your direct deposit arrangement.

Any benefit payment you are eligible to receive before your direct deposit request goes into effect will be mailed to your home address.

If you file your weekly claims by "Easy Call," you will not receive any notification from the Unemployment Insurance Office that your benefit payment has been deposited into your account. It is your responsibility to verify receipt of benefits with your financial institution.

If a problem with your direct deposit develops, you will be notified by this department and provided information to assist you in resolving the problem. Payments will be sent to your mailing address until the problem is resolved.

It is important that you keep a copy of the "Agreement for Direct Deposit" form.